UNITED STATES DISTRICT COURT DISTRICT OF MASSACSHUSETTS

IN RE NEW ENGLAND COMPOUDING PHARMACY, INC. PRODUCT LIABILTY LITIGATION

This document relates only to: MDL No. 02419

Handy, No. 1:14-cv-14019-RWZ Docket No. 1:13-md-2419-RWZ

U.S. Bankruptcy Court – District of Maryland (Baltimore): *Handy v. Ameridose, LLC, et al.*, No. 1:14-ap-732 (Bankr. D. Md. 2014)

JOINT DESIGNATION OF THE RECORD TO BE REMANDED

Pursuant to Rule 10.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, Plaintiff Meghan Handy, Administratrix of the Estate of Brenda Rozek, deceased in the captioned matter, and Defendants Box Hill Surgery Center, L.L.C., Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., L.L.C., hereby designate the following documents from the District of Massachusetts's docket for inclusion in the file to be remanded to the U.S. Bankruptcy Court – District of Maryland (Baltimore):

Date Filed	Docket No.	Docket Text
03/10/2013	<u>37</u>	MOTION to Transfer Case Motion to Transfer Personal Injury Tort and Wrongful Death Cases Pursuant to 28 U.S.C. §§ 157(b)(5) and 1334 by Paul D. Moore, in his capacity as Chapter 11 Trustee of the Defendant New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center. (Gottfried, Michael) (Entered: 03/10/2013)
03/10/2013	38	MEMORANDUM in Support re <u>37</u> MOTION to Transfer Case Motion to Transfer Personal Injury Tort and Wrongful Death Cases Pursuant to 28 U.S.C. §§ 157(b)(5) and 1334 filed by Paul D. Moore, in his capacity as Chapter 11 Trustee of the Defendant New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center.

		(Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Proposed Order)(Gottfried, Michael) (Entered: 03/10/2013)
05/31/2013	170	Judge F. Dennis Saylor, IV: MEMORANDUM AND ORDER entered denying (209) Motion for Mandatory Abstention in case 1:12-cv-12052-FDS; granting in part and denying in part (37) Motion to Transfer in case 1:13-md-02419-FDS; denying (160) Motion to Sever in case 1:13-md-02419-FDS (FDS, law3) (Entered: 05/31/2013)
01/08/2014	754	NOTICE of <i>Limited</i> Appearance by Gregory K. Kirby on behalf of Box Hill Surgery Center, LLC (Cicolini, Pietro) (Entered: 01/08/2014)
10/24/2014	1507	Conditional Transfer order number 50 in MDL 2419 dated 10/23/14 from the Judicial Panel on Multidistrict Litigation pursuant to 28 USC 1407, transferring the listed actions to the District of Massachusetts and assigned to Judge Rya W. Zobel for consolidated pretrial proceedings. (Jones, Sherry) (Entered: 10/24/2014)
11/10/2014	1530	MOTION for Leave to Appear Pro Hac Vice for admission of Gregory K Kirby Filing fee: \$ 100, receipt number 0101-5272963 by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 11/10/2014)
11/10/2014	<u>1533</u>	CORPORATE DISCLOSURE STATEMENT by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 11/10/2014)
01/13/2015	1639	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 01/13/2015)
01/13/2015	1640	MEMORANDUM in Support re <u>1639</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 01/13/2015)
04/02/2015	<u>1761</u>	STIPULATION re 1640 Memorandum in Support of Motion, 1641 Stipulation, 1639 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Stipulation of Maryland Plaintiffs and Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC re: Motion to Dismiss by Consolidated Plaintiffs. (Attachments: # 1 Text of Proposed Order)(Houston, Sharon) (Entered: 04/02/2015)

04/29/2015	1803	NOTICE by Plaintiffs' Steering Committee First Set of Interrogatories to Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC (Dougherty, Kimberly) (Entered: 04/29/2015)
05/11/2015	1835	NOTICE by Plaintiffs' Steering Committee First Request for Production of Documents to Box Hill Surgical Center, LLC (Dougherty, Kimberly) (Entered: 05/11/2015)
06/05/2015	1944	Opposition re 1639 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Consolidated Plaintiffs. (Attachments: # 1 Proposed Order)(Houston, Sharon) (Entered: 06/05/2015)
06/18/2015	1984	MOTION for Order to Show Cause by Plaintiffs' Steering Committee. (Attachments: # 1 Exhibit A-Proposed Order)(Ellis, Fredric) (Entered: 06/18/2015)
07/02/2015	2038	Opposition re 1984 MOTION for Order to Show Cause to Dismissal of Claims Against Settling Defendants filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 07/02/2015)
07/06/2015	2053	REPLY to Response to 1639 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Pursuant to Fed. R. Civ. P. 12(b)(6) filed by Box Hill Surgery Center, LLC. (Attachments: # 1Text of Proposed Order Order regarding Defendants' Motion to Dismiss)(Kirby, Gregory) (Entered: 07/06/2015)
07/06/2015	2055	BRIEF by Plaintiffs' Steering Committee Re Section 157(b)(5) Trial Venue. (Attachments: # 1 Exhibit Transcript of May 28, 2015 Status Conference)(Nolan, George) (Entered: 07/06/2015)
07/10/2015	2078	Response by Lead Counsel to 2038 Opposition to Motion - Plaintiffs' Steering Committee's Response to Objection of Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC. to Dismissal of Claims Against Settling Defendants. (Attachments: # 1 Text of Proposed Order)(Sobol, Thomas) (Entered: 07/10/2015)
07/10/2015	2079	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery (Attachments: # 1 Exhibit Answers to PSC's First Set of Interrogatories, # 2 Exhibit Response to PSC's First Request for Production of Documents)(Kirby, Gregory) (Entered: 07/10/2015)

07/31/2015	2120	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery to ARL Bio Pharma, Inc.(Attachments: # 1 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admission)(Kirby, Gregory) (Entered: 07/31/2015)
07/31/2015	2121	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery to Ameridose, LLC(Attachments: # 1 Exhibit Box Hill Defendants Interrogatories Requests for Production and Requests for Admission to Ameridose, LLC)(Kirby, Gregory) (Entered: 07/31/2015)
07/31/2015	2122	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery to UniFirst Corp, Liberty Ind. and Medical Sales Mgmt. (Attachments: # 1 Exhibit Box Hill Defendants Interrogatories, Requests for Produciton and Requests for Admission to UniFirst Corp., # 2 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admission to Libery Ind., # 3 Exhibit Box Hill Defendants Interrogatories, Request for Documents and Requests for Admission to Medical Sales Mgmt.)(Kirby, Gregory) (Entered: 07/31/2015)
07/31/2015	2127	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery (Attachments: # 1 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admission to Barry Cadden, # 2 Exhibit Box Hill Defendants Interrogatories, Request for Production and Requests for Admission to Glenn Chin, # 3 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admission to Carla Conigiaro, # 4 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admission to Douglas Conigliaro, # 5 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admissions to Gregory Conigliaro, # 6 Exhibit Box Hill Defendants Interrogatories, Requests for Production and Requests for Admissions to Lisa Conigliaro Cadden)(Kirby, Gregory) (Entered: 07/31/2015)
08/03/2015	2131	MEMORANDUM OF LAW by Plaintiffs' Steering Committee to 2055 Brief. (Attachments: # 1 Exhibit A - In Re: Metabolife Intl. Inc. Order)(Gastel, Benjamin) (Entered: 08/03/2015)
08/07/2015	2143	NOTICE by Ameridose LLC Service of Ameridose LLC's Responses to Box Hill Discovery Requests (Attachments:

		# 1 Exhibit Responses as Served)(Moriarty, Matthew) (Entered: 08/07/2015)
08/20/2015	2181	NOTICE by ARL Bio Pharma, Inc. of Service of Objections and Responses to Box Hill Defendants' Discovery Requests (Ragosta, Kristen) (Entered: 08/20/2015)
09/01/2015	2204	Objection to 2122 Notice (Other),, by Unifirst Corporation a/d/b/a Uniclean Cleanroom Services [Objections to "The Box Hill Defendants' First Set of Interrogatories, Requests for Production of Documents and Requests for Admission Propounded to Unifirst Corporation"). (Murray, Michael) (Entered: 09/01/2015)
09/04/2015	2207	NOTICE by Carla Conigliaro of Service of Objections and Responses to the Box Hill Defendants' First Set of Interrogatories, Requests for Production of Documents and Requests for Admission (Hale, Corrina) (Entered: 09/04/2015)
09/04/2015	2208	NOTICE by Douglas Conigliaro of Service of Objections and Responses to the Box Hill Defendants' First Set of Interrgatories, Requests for Production of Documents and Requests for Admission (Hale, Corrina) (Entered: 09/04/2015)
09/08/2015	2216	NOTICE by Liberty Industries, Inc. Service of Objections to Box Hill Defendants' First Set of Interrogatories, Requests for Production, and Requests for Admission (Hermes, Peter) (Entered: 09/08/2015)
09/08/2015	2225	Judge Rya W. Zobel: Memorandum of Decision entered granting in part and denying in part 1639 Motion to Dismiss for Failure to State a Claim (Urso, Lisa) (Entered: 09/08/2015)
09/22/2015	2268	STIPULATION (Joint) for Extension of Time for the Box Hill Defendants to File Answers in the Below Referenced Actions by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 09/22/2015)
10/07/2015	2309	Judge Rya W. Zobel: THIS ORDER RELATES TO ALL ACTIONSORDER entered granting 2137 Motion for Hearing, with the hearing having taken place at the August 5, 2015, status conference. (Urso, Lisa) (Entered: 10/08/2015)
10/12/2015	2319	NOTICE by Box Hill Surgery Center, LLC of Filing of Notices of Deposition by Written Questions (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit

		Exhibit 3, # 4Exhibit Exhibit 4, # 5 Exhibit Exhibit 5, # 6 Exhibit Exhibit 6, # 7 Exhibit Exhibit 7, # 8 Exhibit Exhibit 8, # 9 Exhibit Exhibit 9, # 10 Exhibit Exhibit 10)(Kirby, Gregory) (Entered: 10/12/2015)
10/23/2015	2352	MOTION to Seal PLAINTIFFS STEERING COMMITTEES MOTION TO FILE UNDER SEAL ITS MOTION FOR A PROTECTIVE ORDER REGARDING THE BOX HILL DEFENDANTS NOTICES OF DEPOSITION BY WRITTEN QUESTION by Plaintiffs' Steering Committee.(Dougherty, Kimberly) (Entered: 10/23/2015)
10/23/2015	2353	MOTION for Protective Order PLAINTIFFS STEERING COMMITTEES MOTION FOR A PROTECTIVE ORDER REGARDING THE BOX HILL DEFENDANTS NOTICES OF DEPOSITION BY WRITTEN QUESTION [DKT. 2319] by Plaintiffs' Steering Committee. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Dougherty, Kimberly) (Entered: 10/23/2015)
11/10/2015	2404	Opposition re <u>2395</u> MOTION to Stay re <u>2369</u> Notice (Other), Depositions of Joseph Connolly and John Notarianni filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 11/10/2015)
11/20/2015	2425	Opposition re 2353 MOTION for Protective Order PLAINTIFFS STEERING COMMITTEES MOTION FOR A PROTECTIVE ORDER REGARDING THE BOX HILL DEFENDANTS NOTICES OF DEPOSITION BY WRITTEN QUESTION [DKT. 2319] filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 11/20/2015)
12/02/2015	<u>2451</u>	MOTION to Strike Plaintiffs' Motion to Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer to Complaints by Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC by Consolidated Plaintiffs. (Attachments: # 1 Text of Proposed Order)(Houston, Sharon) (Entered: 12/02/2015)
12/02/2015	2452	MEMORANDUM in Support re 2451 MOTION to Strike Plaintiffs' Motion to Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer to Complaints by Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC filed by Consolidated Plaintiffs.

		(Attachments: # 1 Exhibit Exhibit No. 1)(Houston, Sharon) (Entered: 12/02/2015)
12/08/2015	2471	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery (Kirby, Gregory) (Entered: 12/08/2015)
12/08/2015	2472	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery (Kirby, Gregory) (Entered: 12/08/2015)
12/10/2015	2480	MOTION for Access to the Rust-Omni Repository by Box Hill Surgery Center, LLC.(Kirby, Gregory) (Entered: 12/10/2015)
12/23/2015	<u>2540</u>	NOTICE by Box Hill Surgery Center, LLC of Service of Discovery (Kirby, Gregory) (Entered: 12/23/2015)
01/07/2016	2561	Opposition re 2451 MOTION to Strike Plaintiffs' Motion to Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer to Complaints by Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC filed by Box Hill Surgery Center, LLC. (Attachments: # 1 Defendants' Memorandum of Points and Authorities in Support of Their Opposition to Plaintiffs' Motion to Strike)(Kirby, Gregory) (Entered: 01/07/2016)
01/08/2016	<u>2566</u>	NOTICE by Consolidated Plaintiffs Notice of Filing Subpoena and Notice of Deposition(Attachments: # 1 Exhibit Subpoena and NOD - Ritu Bhambhani, M.D., # 2 Exhibit Deposition Protocol - MDL Order No. 10, # 3 Exhibit Protective Order Dkt 814)(Houston, Sharon) (Entered: 01/08/2016)
01/21/2016	2603	REPLY to Response to <u>2451</u> MOTION to Strike Plaintiffs' Motion to Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer to Complaints by Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC filed by Consolidated Plaintiffs. (Houston, Sharon) (Entered: 01/21/2016)
01/21/2016	2604	REPLY to Response to 2451 MOTION to Strike Plaintiffs' Motion to Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer to Complaints by Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC filed by Consolidated Plaintiffs. (Houston, Sharon) (Entered: 01/21/2016)

01/22/2016	2605	Objection by Box Hill Surgery Center, LLC and Ritu Bhambhani, MD to Plaintiffs' Attachment A and B in Plaintiffs' Subpoena and Notice of Deposition of Ritu Bhambhani, MD. (Kirby, Gregory) (Entered: 01/22/2016)
02/16/2016	2659	NOTICE by Box Hill Surgery Center, LLC of Filing Notices of Deposition (Attachments: # 1Exhibit 1, # 2 Exhibit 2)(Kirby, Gregory) (Entered: 02/16/2016)
02/17/2016	2664	NOTICE by Box Hill Surgery Center, LLC of Amended Notice of Deposition by Written Questions (Kirby, Gregory) (Entered: 02/17/2016)
02/19/2016	2669	NOTICE by Box Hill Surgery Center, LLC of Filing of Amended Notices of Deposition by Written Questions (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Kirby, Gregory) (Entered: 02/19/2016)
02/19/2016	2672	NOTICE by Box Hill Surgery Center, LLC of Filing of Objections to the PSC's Cross-Examination Questions for Each Deposition by Written Question Noticed by Box Hill(Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Kirby, Gregory) (Entered: 02/19/2016)
02/19/2016	2673	NOTICE by Box Hill Surgery Center, LLC of Filing Second Amended Notice of Deposition(Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 02/19/2016)
02/22/2016	2674	NOTICE by Box Hill Surgery Center, LLC of Filing of Second Amended Notice of Deposition by Written Questions (Cumberland Valley Surgery Center) (Attachments: # 1 Exhibit)(Kirby, Gregory) (Entered: 02/22/2016)
02/24/2016	2685	NOTICE by Box Hill Surgery Center, LLC of Filing of Third Amended Notice of Deposition by Written Questions (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 02/24/2016)
03/02/2016	2703	NOTICE by Box Hill Surgery Center, LLC of Filing of Second Amended Notice of Deposition by Written Questions (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 03/02/2016)
03/02/2016	2705	NOTICE by Box Hill Surgery Center, LLC of Filing of Second Amended Notice of Deposition by Written Questions

		(Premier Orthopedics & Sports Medicine) (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 03/02/2016)
03/07/2016	2720	NOTICE by Box Hill Surgery Center, LLC of Second Amended Notice of 30(B)(6) Deposition by Written Questions (Annapolis Surgery Center) (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 03/07/2016)
03/17/2016	2751	NOTICE by Box Hill Surgery Center, LLC of Filing of Second Amended Notice of Deposition by Written Questions (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 03/17/2016)
04/25/2016	2826	Judge Rya W. Zobel: ENDORSED ORDER entered denying <u>2451</u> Motion to Strike; denying <u>2749</u> Motion for Reconsideration (Urso, Lisa) (Entered: 04/25/2016)
05/02/2016	2839	NOTICE by Box Hill Surgery Center, LLC of Filing of Third Amended Notice of Deposition by Written Questions (James E. Davis Ambulatory Surgery Center) (Attachments: # 1 Exhibit)(Kirby, Gregory) (Entered: 05/02/2016)
06/01/2016	<u>2918</u>	NOTICE by Box Hill Surgery Center, LLC of Filing of Third Amended Notice of Deposition by Written Questions (Attachments: # 1 Exhibit Third Amended Notice of Deposition by Written Question (Erlanger Health Systems))(Kirby, Gregory) (Entered: 06/01/2016)
06/13/2016	2928	Judge Rya W. Zobel: ORDER entered. CORRECTED ORDER TO SHOW CAUSE CONCERNING REMAND AND TRANSFER, ENTERED.(Urso, Lisa) (Entered: 06/14/2016)
06/21/2016	2933	RESPONSE TO ORDER TO SHOW CAUSE by Box Hill Surgery Center, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Kirby, Gregory) (Entered: 06/21/2016)
06/21/2016	2935	RESPONSE TO ORDER TO SHOW CAUSE by Consolidated Plaintiffs. (Coren, Michael) (Entered: 06/21/2016)
06/21/2016	<u>2939</u>	MOTION to Remand SSC Cases to Tennessee and To Establish Venue in Tennessee Via Section 157(B)(%) or Section 1404(A) by Kenneth Lister, M.D., P.C., Kenneth R. Lister, Specialty Surgery Center, PLLC.(Tardio, Chris) (Entered: 06/21/2016)

06/22/2016	2946	NOTICE by Lead Counsel Plaintiffs' Steering Committee's Notice of Filing of Summary of Responses to the Court's Order to Show Cause Concerning Remand and Transfer [ECF No. 2928] (Attachments: # 1 Ex. A - Summary of Responses to Show Cause Order)(Johnson, Kristen) (Entered: 06/22/2016)
06/24/2016	<u>2958</u>	Judge Rya W. Zobel: ORDER entered. The request to remand the eight Box Hill cases is denied.(Urso, Lisa) (Entered: 06/24/2016)
07/05/2016	<u>2965</u>	NOTICE by Box Hill Surgery Center, LLC of Filing Notice of Deposition (Maryland Board of Pharmacy) (Attachments: # 1 Exhibit Exhibit 1)(Kirby, Gregory) (Entered: 07/05/2016)
07/06/2016	2969	Opposition re 2939 MOTION to Remand SSC Cases to Tennessee and To Establish Venue in Tennessee Via Section 157(B)(%) or Section 1404(A) filed by Plaintiffs' Steering Committee. (Gastel, Benjamin) (Entered: 07/06/2016)
07/25/2016	3001	NOTICE by Box Hill Surgery Center, LLC of Filing Second Amended Notice of Depositions(Attachments: # 1 Exhibit 1 - Second Amended Deposition Notice of MD Board of Pharmacy, # 2 Exhibit 2 - Amended Deposition Notice of MD Department of Health and Mental Hygiene)(Kirby, Gregory) (Entered: 07/25/2016)
07/28/2016	3011	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel: denying 2939 Motion to Remand; granting 2993 Motion for Leave to File Document; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document.; granting 3002 Motion; granting 3007 Motion; Status Conference held on 7/28/2016; (Hearing set for 8/16/2016 02:00 PM in Courtroom 12 before Judge Rya W. Zobel.). (Court Reporter: Catherine Handel at hhcatherine2@yahoo.com.)(Attorneys present: various) (Urso, Lisa) (Entered: 07/28/2016)
08/16/2016	3050	NOTICE by Box Hill Surgery Center, LLC of Filing Second Amended Notice of Deposition (Dept. of Health and Mental Hygiene) (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 08/16/2016)
08/22/2016	3056	MOTION to Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via Section

		157(B)(5) or Section 1404(A) by Box Hill Surgery Center, LLC. (Attachments: # 1 Memorandum in Support of Motion for Suggestion of Remand)(Kirby, Gregory) (Entered: 08/22/2016)
08/23/2016	3064	RESPONSE TO COURT ORDER by Plaintiffs' Steering Committee re 2928 Order to Show Cause PLAINTIFFS' STEERING COMMITTEE'S FURTHER RESPONSE TO SHOW CAUSE ORDER ADDRESSING OBJECTIONS TO REMAND. (Attachments: # 1 Text of Proposed Order)(Johnson, Kristen) (Entered: 08/23/2016)
08/24/2016	3071	Opposition re 3056 MOTION to Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via Section 157(B)(5) or Section 1404(A) filed by Meghan Handy. (Attachments: # 1 Certificate of Service)(Coren, Michael) (Entered: 08/24/2016)
08/25/2016	3075	Judge Rya W. Zobel: ENDORSED ORDER entered denying 3056 Motion to Remand (Urso, Lisa) (Entered: 08/25/2016)
10/17/2016	3132	NOTICE by Box Hill Surgery Center, LLC (Kirby, Gregory) (Entered: 10/17/2016)
11/01/2016	3154	MOTION for Leave to Appear Pro Hac Vice for admission of Catherine W. Steiner Filing fee: \$ 100, receipt number 0101-6357423 by Box Hill Surgery Center, LLC. (Attachments: # 1/24ffidavit of Catherine W. Steiner)(Kirby, Gregory) (Entered: 11/01/2016)
11/11/2016	3175	MOTION for Leave to Appear Pro Hac Vice for admission of Harry M Roth Filing fee: \$ 100, receipt number 0101-6370841 by Meghan Handy. (Attachments: # 1/2 Affidavit, # 2/2 Certificate of Service)(Coren, Michael) (Entered: 11/11/2016)
12/14/2016	3229	NOTICE by Box Hill Surgery Center, LLC of Filing Notice of Deposition (Attachments: # 1Exhibit Deposition Notice (Shmuel Shoham, MD))(Kirby, Gregory) (Entered: 12/14/2016)
11/30/2016	3200	MOTION for Leave to Appear Pro Hac Vice for admission of Michael Coren Filing fee: \$ 100, receipt number 0101-6393683 by Meghan Handy. (Attachments: # 1/2 Affidavit of Michael Coren)(Coren, Michael) (Entered: 11/30/2016)

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12/14/2016	3230	NOTICE by Box Hill Surgery Center, LLC of Filing Notice of Deposition (Attachments: # 1Exhibit Deposition Notice (Lloyd Saberski, MD))(Kirby, Gregory) (Entered: 12/14/2016)
12/15/2016	3231	NOTICE by Box Hill Surgery Center, LLC of Filing Notice of Deposition (Attachments: # 1Exhibit Deposition Notice - David Chason, MD)(Kirby, Gregory) (Entered: 12/15/2016)
12/23/2016	3243	NOTICE by Box Hill Surgery Center, LLC of Filing Amended Notice of Deposition(Attachments: # 1 Exhibit Amended Notice of Deposition - Lloyd Saberski)(Kirby, Gregory) (Entered: 12/23/2016)
03/17/2017	3335	NOTICE by Box Hill Surgery Center, LLC of Proposed Bellwether Case Selection (Kirby, Gregory) (Entered: 03/17/2017)
04/18/2017	3370	MOTION to Vacate or Modify Order That Set Trials Dates and Selected Box Hill Bellwether Cases for Case-Specific Discovery by Box Hill Surgery Center, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6 - proposed Order)(Kirby, Gregory) (Entered: 04/18/2017)
05/12/2017	3380	MOTION for Reconsideration of Suggestion of Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via 157(B)(5) or 1404(A) by Box Hill Surgery Center, LLC.(Kirby, Gregory) (Entered: 05/12/2017)
06/02/2017	3398	Proposed Document(s) submitted by Consolidated Plaintiffs. Document received: Letter on behalf of Box Hill Parties requesting entry of propsed order re: non-bellwether cases. (Attachments: # 1 Text of Proposed Order Assented to Proposed Stay Order)(Coren, Michael) (Entered: 06/02/2017)
06/02/2017	3403	Opposition re 3380 MOTION for Reconsideration of Suggestion of Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via 157(B)(5) or 1404(A) Plaintiffs' Opposition to Defendants' Motion for Reconsideration of Suggestion of Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via 157(B)(5) or 1404(A) filed by Consolidated Plaintiffs. (Attachments: # 1 Exhibit A Notice of Removal, # 2 Exhibit B Order dated December 5, 2016, # 3 Exhibit C Letter to Counsel from Judge Carr dated February 6, 2017 forwarding the Amended Scheduling Order)(Kasputys, Patricia) (Entered: 06/02/2017)

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06/05/2017	<u>3404</u>	Objection to <u>3397</u> Status Report by Box Hill Surgery Center, LLC . (Kirby, Gregory) (Entered: 06/05/2017)
06/05/2017	3405	REPLY to Response to 3380 MOTION for Reconsideration of Suggestion of Remand or Transfer of Box Hill Cases to Maryland and to Establish Venue in Maryland Via 157(B)(5) or 1404(A) filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 06/05/2017)
06/21/2017	3408	Magistrate Judge Jennifer C. Boal: ORDER entered. Joint Consent Order Staying Discovery Deadlines for non Bell Wether Candidate Box Hill Clinic cases.(York, Steve) (Entered: 06/21/2017)
07/20/2017	3427	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel: denying 3380 Motion for Reconsideration; granting 3414 Motion; granting 3415 Motion to Seal; Status Conference held on 7/20/2017; (BoxHill Jury Trial set for 2/26/2018 09:00 AM in Courtroom 12 before Judge Rya W. Zobel., next Status Conference set for 9/21/2017 02:00 PM in Courtroom 12 before Judge Rya W. Zobel.). (Court Reporter: Valerie OHara at vaohara@gmail.com.)(Attorneys present: various) (Urso, Lisa) (Entered: 07/20/2017)
09/01/2017	3439	MOTION for Leave to File Motions for Summary Judgment by Box Hill Surgery Center, LLC.(Kirby, Gregory) (Entered: 09/01/2017)
09/08/2017	3441	Opposition re <u>3439</u> MOTION for Leave to File Motions for Summary Judgment filed by Consolidated Plaintiffs. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order Proposed Order, # <u>4</u> Certificate of Service)(Coren, Michael) (Entered: 09/08/2017)
09/18/2017	3454	MOTION for Summary Judgment CONCERNING PLAINTIFFS NEGLIGENCE CLAIMS DUE TO SUPERSEDING, INTERVENING CAUSE by Box Hill Surgery Center, LLC. (Attachments: # 1 Supplement, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3455	MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO PATIENT- SPECIFIC PRESCRIPTIONS by Box Hill Surgery Center, LLC. (Attachments: # 1Supplement, # 2 Exhibit, # 3 Exhibit, # 4 Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)

09/18/2017	3456	MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO THE STANDARD OF CARE AND PROFESSIONAL PRACTICE by Box Hill Surgery Center, LLC. (Attachments: # 1 Supplement, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3457	MOTION for Summary Judgment CONCERNING THE LEVEL OF DUE DILIGENCE PERFORMED PRIOR TO PURCHASING MEDICATIONS FROM NECC by Box Hill Surgery Center, LLC. (Attachments: # 1 Supplement, # 2 Exhibit 10, # 3 Exhibit 11, # 4 Exhibit 12, # 5Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3458	MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR PUNITIVE DAMAGES by Box Hill Surgery Center, LLC. (Attachments: # 1 Supplement, # 2 Exhibit 10, # 3 Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3459	MOTION for Summary Judgment CONCERNING PLAINTIFFS MASSACHUSETTS CONSUMER PROTECTION CLAIM by Box Hill Surgery Center, LLC. (Attachments: # 1Supplement, # 2 Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3460	MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR RECOVERY OF MEDICAL EXPENSES by Box Hill Surgery Center, LLC. (Attachments: # 1 Supplement, # 2Text of Proposed Order)(Kirby, Gregory) (Entered: 09/18/2017)
09/18/2017	3461	Statement of Material Facts L.R. 56.1 re 3459 MOTION for Summary Judgment CONCERNING PLAINTIFFS MASSACHUSETTS CONSUMER PROTECTION CLAIM, 3457 MOTION for Summary Judgment CONCERNING THE LEVEL OF DUE DILIGENCE PERFORMED PRIOR TO PURCHASING MEDICATIONS FROM NECC, 3460 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR RECOVERY OF MEDICAL EXPENSES, 3456 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO THE STANDARD OF CARE AND PROFESSIONAL PRACTICE, 3455 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO PATIENT-SPECIFIC

		PRESCRIPTIONS, 3458 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR PUNITIVE DAMAGES, 3454 MOTION for Summary Judgment CONCERNING PLAINTIFFS NEGLIGENCE CLAIMS DUE TO SUPERSEDING, INTERVENING CAUSE filed by Box Hill Surgery Center, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9)(Kirby, Gregory) (Entered: 09/18/2017)
09/19/2017	3462	MOTION to Strike the Reports and to Exclude Testimony by Expert Witnesses for the Box Hill Defendants by Consolidated Plaintiffs. (Attachments: # 1 Text of Proposed Order Proposed Order, # 2 Certificate of Consultation, # 3 Certificate of Service)(Coren, Michael) (Entered: 09/19/2017)
09/19/2017	3463	MEMORANDUM in Support re 3462 MOTION to Strike the Reports and to Exclude Testimony by Expert Witnesses for the Box Hill Defendants filed by Consolidated Plaintiffs. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Certificate of Service)(Coren, Michael) (Entered: 09/19/2017)
10/16/2017	3485	Opposition re 3455 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO PATIENT-SPECIFIC PRESCRIPTIONS, 3459 MOTION for Summary Judgment CONCERNING PLAINTIFFS MASSACHUSETTS CONSUMER PROTECTION CLAIM, 3457 MOTION for Summary Judgment CONCERNING THE LEVEL OF DUE DILIGENCE PERFORMED PRIOR TO PURCHASING MEDICATIONS FROM NECC, 3460 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR RECOVERY OF MEDICAL EXPENSES, 3456 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO THE STANDARD OF CARE AND PROFESSIONAL PRACTICE, 3458 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR PUNITIVE DAMAGES, 3454 MOTION for Summary Judgment CONCERNING PLAINTIFFS NEGLIGENCE CLAIMS DUE TO SUPERSEDING, INTERVENING CAUSE filed by Consolidated Plaintiffs. (Attachments: # 1 Text of Proposed Order Proposed Order, # 2 Exhibit 1,

		# 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28)(Coren, Michael) (Entered: 10/16/2017)
10/16/2017	3486	Statement of Material Facts L.R. 56.1 re 3459 MOTION for Summary Judgment CONCERNING PLAINTIFFS MASSACHUSETTS CONSUMER PROTECTION CLAIM, 3457MOTION for Summary Judgment CONCERNING THE LEVEL OF DUE DILIGENCE PERFORMED PRIOR TO PURCHASING MEDICATIONS FROM NECC, 3460 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR RECOVERY OF MEDICAL EXPENSES, 3456 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO THE STANDARD OF CARE AND PROFESSIONAL PRACTICE, 3455MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIMS RELATING TO PATIENT-SPECIFIC PRESCRIPTIONS, 3458 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR PUNITIVE DAMAGES, 3454 MOTION for Summary Judgment CONCERNING PLAINTIFFS NEGLIGENCE CLAIMS DUE TO SUPERSEDING, INTERVENING CAUSE filed by Consolidated Plaintiffs. (Attachments: # 1Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10)(Coren, Michael) (Entered: 10/16/2017)
10/30/2017	3489	REPLY to Response to 3458 MOTION for Summary Judgment CONCERNING PLAINTIFFS CLAIM FOR PUNITIVE DAMAGES filed by Box Hill Surgery Center, LLC. (Kirby, Gregory) (Entered: 10/30/2017)
10/30/2017	3490	REPLY to Response to 3459 MOTION for Summary Judgment CONCERNING PLAINTIFFS MASSACHUSETTS CONSUMER PROTECTION CLAIM filed by Box Hill Surgery Center, LLC. (Attachments: # 1 Exhibit Exhibit 1)(Kirby, Gregory) (Entered: 10/30/2017)

01/04/2018	3511	MOTION for Summary Judgment by Box Hill Surgery Center, LLC. (Attachments: # 1Supplement Memorandum in Support of Motion for Summary Judgment, # 2 Exhibit 1-Transcript Excerpt- Deposition of David Chason, # 3 Exhibit 2-Transcript Excerpt- Deposition of Lloyd R. Saberski, M.D., # 4 Exhibit 3-Transcript Excerpt- Deposition of Laxmaiah Manchikanti, M.D., # 5 Exhibit 4- Handy (Rozek) Complaint, # 6 Exhibit 5-Transcript Excerpt- Deposition of Ritu T. Bhambhani, M.D., # 7 Exhibit 6- Brigham and Womens Hospital Department of Pharmacy Audit, # 8 Exhibit 7- Vendor Audit Survey Form, # 9 Text of Proposed Order)(Kirby, Gregory) (Entered: 01/04/2018)
01/19/2018	3514	Notice of Supplemental Authorities re 3511 MOTION for Summary Judgment filed by Meghan Handy. (Attachments: # 1 Supplement Slip Opinion)(Coren, Michael) (Entered: 01/19/2018)
01/24/2018	<u>3516</u>	REPLY to Response to 3511 MOTION for Summary Judgment filed by Box Hill Surgery Center, LLC. (Attachments: # 1 Exhibit 1)(Kirby, Gregory) (Entered: 01/24/2018)
02/02/2018	3518	Supplemental MEMORANDUM in Support re 3511 MOTION for Summary Judgment on Plaintiffs' Punitive Damages Claim filed by Box Hill Surgery Center, LLC. (Attachments: # 1Exhibit 1)(Kirby, Gregory) (Entered: 02/02/2018)
02/02/2018	3519	Supplemental MEMORANDUM in Opposition re 3511 MOTION for Summary Judgment on Plaintiffs' Punitive Damages Claim filed by Meghan Handy. (Attachments: # 1 Exhibit Ex. 1, # 2 Exhibit Ex. 2, # 3 Exhibit Ex. 3, # 4 Exhibit Ex. 4, # 5 Exhibit Ex. 5, # 6 Exhibit Ex. 6, # 7Exhibit Ex. 7)(Coren, Michael) (Entered: 02/02/2018)
02/07/2018	3520	Judge Rya W. Zobel: Memorandum of Decision entered granting in part and denying in part 3511 Motion for Summary Judgment. Specifically, it is ALLOWED as to Count XII and as to plaintiffs' requests for punitive damages, and it is DENIED as to Count I. (Urso, Lisa) (Entered: 02/07/2018)
02/08/2018	3521	MOTION to Remand to State Court by Box Hill Surgery Center, LLC. (Attachments: # 1Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Text of Proposed Order)(Kirby, Gregory) (Entered: 02/08/2018)

02/14/2018	3524	Opposition re <u>3521</u> MOTION to Remand to State Court filed by Meghan Handy. (Coren, Michael) (Entered: 02/14/2018)
02/16/2018	<u>3525</u>	REPLY to Response to 3521 MOTION to Remand to State Court filed by Box Hill Surgery Center, LLC. (Attachments: # 1 Text of Proposed Order)(Kirby, Gregory) (Entered: 02/16/2018)
03/05/2018	3531	Opposition re 3462 MOTION to Strike the Reports and to Exclude Testimony by Expert Witnesses for the Box Hill Defendants filed by Box Hill Surgery Center, LLC. (Attachments: # 1Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Text of Proposed Order)(Kirby, Gregory) (Entered: 03/05/2018)
03/14/2018	3534	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel: granting 3533 Motion to Seal; Final Pretrial Conference held on 3/14/2018. Boxhill case(s) to be transferred; (Court Reporter: Joan Daly at joanmdaly62@gmail.com.)(Attorneys present: various) (Urso, Lisa) (Entered: 03/14/2018)
03/16/2018	<u>3535</u>	Judge Rya W. Zobel: ORDER and Suggestion of Remand entered. (Urso, Lisa) (Entered: 03/16/2018)
04/25/2018	3544	CONDITIONAL REMAND ORDER FROM THE MDL PANEL. (Attachments: # 1 Suggestion of Remand)(Jones, Sherry) (Entered: 04/25/2018)

Respectfully submitted on this 2nd day of May, 2018.

/s/ Michael Coren

Harry M. Roth, Esq. (Pro Hac Vice) Michael Coren, Esq. (Pro Hac Vice)

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Center, L.L.C., Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., L.L.C.

CERTIFICATE OF SERVICE

I, Michael Coren, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF), including the attorneys representing the defendants in the above-referenced individual cases, and will be sent to these parties by operation of the CM/ECF system.

/s/ Michael Coren

Michael Coren

Dated: May 2, 2018